

MAY 19 2008  
CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY *TM* DEPUTY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Antonio MALDONADO-Hurtado,

Defendant.

) Mag. Case No. '08 MJ 84 47  
)  
) COMPLAINT FOR VIOLATION OF:  
)  
) Title 8, U.S.C., Section 1326  
) Deported Alien Found In the United States  
)  
)  
)  
)

The undersigned complainant, being duly sworn, states:

On or about May 18, 2008, within the Southern District of California, defendant Antonio MALDONADO-Hurtado, an alien, who previously had been excluded, deported, or removed from the United States to Mexico was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States code, section 202(3) and (4) , and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

*W. A. B.*  
Senior Patrol Agent

SWORN TO BEFORE AND SUBSCRIBED IN MY PRESENCE THIS 19th DAY OF MAY 2008.

*Peter C. Lewis*  
PETER C. LEWIS  
United States Magistrate Judge

1  
2 UNITED STATES OF AMERICA

3 v.

4 Antonio MALDONADO-Hurtado

5 STATEMENT OF FACTS

6 The complainant states that this complaint is based upon the statements of the  
7 apprehending Border Patrol Agent, S. Morales, that the Defendant was found and arrested on  
8 May 18, 2008 west of the Calexico, California.

9 Agent Morales was performing her assigned Border Patrol duties approximately 30 miles  
10 west of Calexico, California. Agent Morales was looking for illegal alien tracks on Highway S-  
11 2, when he observed an individual later identified as, Antonio MALDONADO-Hurtado driving a  
12 Ford Explorer suspiciously on Highway S-2. Agent Morales performed a vehicle stop and  
13 identified himself as a United States Border Patrol Agent. Agent Morales questioned  
14 MALDONADO-Hurtado as to his immigration status to be in the United States. Agent Morales  
15 determined that MALDONADO-Hurtado was a citizen of Mexico illegally in the United States.  
16 MALDONADO-Hurtado was placed under arrest and transported to the El Centro Border Patrol  
17 Station.

18 At the station, record checks revealed an Immigration Judge ordered MALDONADO-  
19 Hurtado deported to Mexico from the United States on July 2, 1996. Record checks also  
20 revealed that MALDONADO-Hurtado has an extensive criminal history.

21 MALDONADO-Hurtado stated that he last entered the United States last night by  
22 walking through the mountains. MALDONADO-Hurtado also stated that he knowingly entered  
23 the United States illegally. MALDONADO-Hurtado said that he did not have immigration  
24 documents that would allow him to work or reside in the United States legally. MALDONADO-  
25 Hurtado said that he was using Highway S-2 to avoid Interstate 8 Border Patrol Checkpoint.

26 There is no evidence MALDONADO-Hurtado has sought or received permission from  
27 the Attorney General or the Secretary of the Department of Homeland Security to re-enter the  
28 United States.  
29